

April 17, 2007

A regular meeting of the Redmond City Council was called to order by Mayor Pro Tempore Nancy McCormick at 7:30 p.m. in the Council Chamber. Council members present were: Allen, Cole, Marchione, Resha, Robinson, and Vache.

#### EXECUTIVE SESSION

At 7:30 p.m. the Council held an executive session on litigation for approximately ten minutes. The meeting reconvened at 7:41 p.m.

#### ANNOUNCEMENT

The Mayor Pro Tempore made the following announcements:

- Add to New Business the settlement agreement with Entranco Engineers
- The flags will be flying at half-mast in light of the tragedy at Virginia Tech

#### PRESENTATION

Port of Seattle Commissioner Lloyd Hara provided an update of the state of the Port of Seattle's facilities and accomplishments.

#### ITEMS FROM THE AUDIENCE

Brian Dennis, P.O. Box 204, encouraged Council to review the community summit guidelines and uphold the principle of safety and fiscal responsibility.

#### CONSENT AGENDA

Motion by Mr. Cole, second by Mr. Resha, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the special meeting of March 27, 2007 and the regular meeting of April 3, 2007
- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#166738 through #166809; and  
#175183 through #175799 \$1,285,027.40

CLAIMS CHECKS:

#324398 through #324718 \$3,017,697.62

- (3) approve the acquisition of the improved industrial property (Tax Parcel No. 346941-0040) located at 18104 NE 76 Street in Redmond, for a purchase amount of \$2,650,000, and authorize the Mayor and staff to complete the transaction
- (4) authorize the Mayor, on behalf of the City, to execute a commercial lease with Genie Industries, Inc. for the property known as 18104 NE 76 Street, Redmond, Washington, based on negotiated terms
- (5) approve by motion a telecommunication facility lease between the City of Redmond and T-Mobile West Corporation, and authorize the Mayor to sign the lease
- (6) approve the award of bid for the Redmond Intelligent Transportation System (RITS) Phase 3, Project No. 05-CI-63/100982 to Totem Electric of Tacoma, Washington, for the total amount bid of \$284,718.30, and authorize the Mayor to sign the construction contract. The following bids were received:

|                       |              |
|-----------------------|--------------|
| Totem Electric        | \$284,718.30 |
| Signal Electric, Inc. | \$348,048.00 |

|                            |                     |
|----------------------------|---------------------|
| Valley Electric            | \$371,966.00        |
| Elcon Corporation          | \$550,881.00        |
| <i>Engineer's Estimate</i> | <i>\$340,933.00</i> |

- (7) approve the consultant agreement for the West Lake Sammamish Parkway Phase 2 Environmental and Habitat Monitoring Program, with Northwest Environmental Consulting, LLC, Project No. 100859, in the amount of \$54,000 and authorize the Mayor to sign the agreement

- (8) approve the award of bid for the Redmond Way Sidewalk Improvements, Project No. 05-CI-72/101014 to Dennis R. Craig Construction, Inc. of Redmond, Washington for the amount bid of \$1,438,991.60 and authorize the Mayor to sign the contract. The following bids were received:

|                              |                    |
|------------------------------|--------------------|
| Dennis R. Craig Construction | \$1,438,992        |
| Precision Earthworks, Inc.   | \$1,492,805        |
| Thomco Construction, Inc.    | \$1,565,124        |
| Construct Company, LLC       | \$1,640,716        |
| Westwater Construction Co.   | \$1,675,169        |
| Road Construction Northwest  | \$1,759,312        |
| <i>Engineer's Estimate</i>   | <i>\$1,511,062</i> |

approve Supplemental Agreement No. 1 for the Redmond Way Sidewalk Improvements, Project No. 05-CI-72/101014, with David Evans and Associates, Inc. (DEA) for \$92,297 plus a contingency of \$5,003 for amount not to exceed \$97,300, and authorize the Mayor to sign the agreement

- (9) approve the Fuel Tax Grant Distribution Agreement for the

Union Hill Widening Phase 2,  
Project No. 03-CI-76/100187,  
with the Transportation  
Improvement Board (TIB) and  
authorize the Mayor to execute  
the agreement for the  
\$2,250,000 TIB grant

- (10) accept plat improvements and  
authorize release of the plat  
bonds for Woodbridge and  
Woodbridge Divisions 2 and 3,  
MPRD 96-001/PPL 97-002
- (11) approve a Consultant Agreement  
with Mirai Associates, Inc. for  
assistance with updating and  
implementing a new "plan based"  
concurrency management system  
for the City in the amount of  
\$135,145 and authorize the  
Mayor to sign the agreement
- (12) approve Resolution No. 1246, a  
Resolution of the City Council  
of Redmond, Washington,  
amending the self-insured  
employee health benefits plan  
and increasing benefits  
received by employees covered  
by Group Health Cooperative,  
was presented and read

approve Resolution No. 1247, a  
Resolution of the City Council  
of the City of Redmond,  
Washington, amending the self-  
insured employee health  
benefits plan and increasing  
benefits for employees who are  
transplant recipients, was  
presented and read

Councilmember Vache requested that the  
Council be updated on the Concurrency  
Management System as the project is  
implemented.

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Upon a poll of the Council, Allen, Cole, Marchione, McCormick, Resha, Robinson, and Vache voted aye. Motion carried unanimously (7 - 0).

PUBLIC HEARING - CAMWEST ENGLISH HILL (AKA KEMPIN PROPERTY) COMPREHENSIVE PLAN AND PRE-ANNEXATION ZONING AMENDMENTS, L060236 (QUASI-JUDICIAL)

The Mayor, in a memorandum to the City Council dated April 17, 2007, recommended holding the second of two public hearings required to amend pre-annexation zoning and direct staff to schedule a date for final action.

The Mayor Pro Tempore opened the public hearing at 8:13 p.m.

Jeff Churchill, Assistant Planner, entered into the record two emails from Linda Cline regarding traffic impacts along the NE 128 Street corridor, and Carol Beavers concerning property zoning.

John Harkness, 9720 NE 120 Place, Suite 100, Kirkland, CamWest, distributed maps and aerial photographs of the property in question. Mr. Harkness asked Council to approve a compatible zoning to what is already on the property.

Marsha Martin, 9720 NE 120 Place, Suite 100, Kirkland, General Counsel for CamWest, encouraged the Council to adopt R-4P zoning which directs urban growth, is consistent with land use policies, provides added housing, is consistent with the North Redmond Neighborhood Plan and will protect critical areas.

Janice Strode, 12503 179 Avenue NE, expressed concerns over an increase in traffic in her neighborhood as well as development on wetlands.

Hearing no further testimony, the Mayor Pro Tempore declared the public hearing closed at 8:25 p.m.

Motion by Mr. Cole, second by Mr. Robinson, to deny the pre-annexation zoning request.

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Councilmember Cole said changing the rules in an existing neighborhood is not appropriate and the zoning on the property should be kept at the current R-1 designation.

Councilmember Allen concurred with Councilmember Cole and stated this did not seem to be the time to facilitate a rezone of the existing neighborhood.

Mayor Pro Tempore McCormick said the market will ultimately determine if there is a demand for R-1 zoning and it is appropriate to have places that have open space.

Motion failed (3 - 4) with Marchione, Resha, Robinson, and Vache voting nay.

Motion by Mr. Vache, second by Mr. Resha, to direct staff to bring back an ordinance, for final action that supports the Planning Commission's recommendation of R4-P zoning.

Motion carried (4 - 3) with Allen, Cole, and McCormick voting nay.

PUBLIC HEARING - CLOSED RECORD APPEAL: AVONDALE CREST SHORT PLAT, L070140 (QUASI-JUDICIAL)

The Mayor, in a memorandum to the City Council dated April 17, 2007, recommended upholding the Hearing Examiner's decision denying Susan Wilkins' appeal of the Technical Committee's Short Plat approval and denying her Request for Reconsideration, dated December 20, 2006 and March 7, 2007 respectively.

The Mayor Pro Tempore opened the public hearing at 8:48 p.m.

Susan Wilkins, 18024 NE 99 Court, requested that left turns be prohibited into and out of the development due to erroneous site distance calculations that were calculated at the intersection, not on the steepest part of the road.

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James Barnett, Senior Design Engineer for DR Strong, said the assertions made by Ms. Wilkins' had been cleared up in the record and that lighting and fixed radar will add additional safety to the road. He said the stopping distance requirements were consistent with the American Highway Association.

William Popp, 14400 Bel-Red Road #206, Bellevue, William Popp Associates, asserted the location of the speed study and the application of the data derived was correct and the engineers had assumed forty miles per hour up the hill with slowing near the intersection. He also encouraged the City to update its growth standards.

RECESS

Mayor Pro Tempore McCormick declared a recess at 9:35 p.m. The meeting reconvened at 9:46 p.m.

PUBLIC HEARING - CLOSED RECORD APPEAL: AVONDALE CREST SHORT PLAT, L070140 (QUASI-JUDICIAL), (CONTINUED)

Hearing no further testimony, the Mayor Pro Tempore declared the public hearing closed at 9:56 p.m.

Motion by Mr. Robinson, second by Ms. Allen, to approve upholding the Hearing Examiner's decision denying Susan Wilkins' appeal of the Technical Committee's Short Plat approval and denying her Request for Reconsideration, dated December 20, 2006 and March 7, 2007 respectively.

Councilmember Vache said he supported the appeal due to the safety issues involved.

Councilmember Marchione commented that he did not think a correct record could be developed based on the evidence and the issue should be reconsidered by the Hearing Examiner.

Motion carried (4 - 3) with Marchione, McCormick, and Vache voting nay.

## OMBUSMAN REPORT

Councilmember Robinson reported receiving a request to talk about the tent city process and stated Councilmembers would be meeting with an individual to discuss the issues. He also received a question on the CIP which Councilmember Marchione answered.

Councilmember McCormick shared a concern received several weeks prior related to maintenance of the medians.

## COMMITTEE REPORTS

### Committee Report - Parks and Human Services Committee

Councilmember Robinson stated that the Parks and Human Services Committee met on April 12, 2007 and discussed the Senior Games and the park levy which will be discussed at the Study Session on April 24, 2007.

### Committee Report - Planning and Public Works Committee

Councilmember Resha announced that the Planning and Public Works meeting would take place on Wednesday, April 18, 2007, at 4:30 p.m. and that an ongoing discussion on the development review and permitting process would take place.

### Committee Report - Public Safety Committee

Councilmember Allen reported that the Public Safety Committee will be meeting on Thursday, April 19, 2007, for an update on Police staffing and hiring.

## MISCELLANEOUS REPORTS

Mayor Pro Tempore McCormick stated that Councilmembers had received an update on the Downtown Wayfinding Program and asked if Council wanted to discuss the subject at a study session. She announced the Marymoor Concerts would continue this summer and asked Council's opinion of holding a neighborhood meeting. Councilmembers concluded forgoing the meeting for now, but keep the option open if there are problems.



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Councilmember Allen reported on Friday, April 13, 2007, the Fire Department went to the State Building Code Council who approved Redmond's sprinkler ordinance after initial denial.

ORDINANCE: MARYMOOR EAST SQUARE COMPREHENSIVE PLAN  
AMENDMENT

The Mayor, in a memorandum to the City Council dated April 17, 2007, recommended adopting two ordinances amending the City's Comprehensive Land-Use Map and Zoning to Map to change land-use designation for Marymoor East Square from Manufacturing Park to Multi-Family Urban and zoning designations from Manufacturing Park to R-18.

Motion by Mr. Robinson, second by Ms. Allen, to adopt the Ordinances amending the City's Comprehensive Land-Use Map and Zoning Map for parcels 131830-0180 and 131830-0190. The amendment would change the land-use designation for the two parcels from Manufacturing Park to Multi-Family Urban, and the zoning designation for the parcels from Manufacturing Park to R-18.

Councilmember Robinson withdrew his motion with consent of the second.

Motion by Mr. Cole, second by Mr. Vache, to reject the Planning Commission recommendations to amend the City's Comprehensive Land-Use Map and Zoning Map for parcels 131830-0180 and 131830-0190 and leave the zoning unchanged.

Councilmember Allen opposed the motion stating these parcels are ideal for housing and the amendment would advance Redmond's housing targets.

Councilmember Robinson commented there was no land rush to use these parcels as an office park, so housing would be a great alternative.

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Upon a poll of the Council, Cole, Marchione, McCormick, Resha, and Vache voted aye. Motion carried (5 - 2) with Allen and Robinson voting nay.

#### ENTRANCO SETTLEMENT AGREEMENT

Motion by Mr. Cole, second by Mr. Marchione, to approve the Settlement Agreement with Entranco Engineers in the amount of \$275,000, and authorize the Mayor to sign a settlement agreement to that effect

Motion carried unanimously (7 - 0).

#### NOTICE OF INTENT: KINER ANNEXATION, L070120

The Mayor, in a memorandum to the City Council dated April 17, 2007, recommended accepting the Notice of Intent to Annex and authorize the circulation of a petition to annex the area known as the Kiner Annexation.

Motion by Mr. Vache, second by Mr. Marchione, that the annexation proposed by the "Notice of Intent to Petition for Annexation," Kiner Annexation, filed with the City on March 13, 2007, or some smaller portion thereof, be accepted and the Direct Petition be authorized for circulation. The Direct Petition must indicate that territory within the annexation contemplated shall be subject to the following conditions:

1. All property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as the property of the City of Redmond is assessed and taxed to pay for the portion of any then outstanding indebtedness of the City of Redmond, which indebtedness has been approved by the voters,

contracted for, or incurred prior to, or existing at, the date of annexation.

2. All property within the proposed annexation area shall be subject to the Redmond Community Development Guide and the subsequent proceeding pursuant thereto.

Motion carried unanimously (7 - 0).

ORDINANCE: AVONDALE CREST PLANNED RESIDENTIAL DEVELOPMENT (PRD), L050168 (QUASI-JUDICIAL)

The Mayor, in a memorandum to the City Council dated April 17, 2007, recommended adopting the Avondale Crest Planned Residential Development (PRD), subject to the conditions outlined in the Hearing Examiner's report dated December 20, 2006.

Motion by Ms. Allen, second by Mr. Resha, to adopt Ordinance No. 2336, approving the Avondale Crest Planned Residential Development (PRD), subject to the conditions outlined in the Hearing Examiner's report dated December 20, 2006.

Ordinance No. 2336, an Ordinance of the City of Redmond, Washington, adopting the Hearing Examiner's December 20, 2006 recommendation to approve, with conditions, the Avondale Crest Planned Residential Development and establishing an effective date, was presented and read.

Councilmember Allen said her vote would be a symbolic no vote as this was poorly handled, the notice was not well thought out and there remained concerns regarding unmitigated traffic problems. She expressed her frustration that there is nothing the Council can do once issues like this make it to Council.

Upon a poll of the Council, Cole, Marchione, McCormick, Resha, Robinson, and Vache voted aye. Motion carried (6 - 1) with Allen voting nay.

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ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore McCormick declared the meeting adjourned at 10:47 p.m.

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MAYOR PRO TEMPORE

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CITY CLERK